

Application ref: 2018/5027/P
Contact: Gideon Whittingham
Tel: 020 7974 5180
Date: 21 December 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

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Anna Rollman
108 Fitzjohn's Avenue
London
NW3 6NT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
108 Fitzjohn's Avenue
London
NW3 6NT

Proposal:

Conversion of existing 2 bed unit at lower and ground floor levels to provide 1 x 2bed unit at lower ground floor and 1 x 2bed unit at ground floor; erection of rear bay extension and lower ground floor extension providing additional floorspace to existing lower, ground and first units, enlarge rear dormer, roof terrace and associated elevational and landscaping alterations.

Drawing Nos: Site Plan, (Existing) 11192/ 01, 11192/ 02, 11192/ 03, 11192/ 04;
(Proposed) 11192/ 05A, 11192/ 6A, 11192/ 07, 11192/ 08A.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans (Site Plan, (Existing) 11192/ 01, 11192/ 02, 11192/ 03, 11192/ 04; (Proposed) 11192/ 05A, 11192/ 6A, 11192/ 07, 11192/ 08A).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The dwelling hereby approved shall be designed in accordance with Building Regulations Part M4 (2); evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 5 All trees on the site, or parts of trees growing from adjoining sites shall be retained and protected from damage and follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction".

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

3 Reasons for granting permission:

The site comprises a three-storey (plus basement) building, with dormers at roof level that is currently sub-divided into 7 flats.

The proposal would see the conversion of the 2 bedroom flat (123sqm) at lower ground and ground floor level to provide a 1 x 2bed flat (97sqm) at lower ground floor and 1 x 2bed flat at ground floor level (69sqm), along with the associated alterations and extensions.

The net loss of an overly large 2 bedroom flat to provide 2 new units that themselves would comply with the recommended guidelines contained within the London Plan is considered appropriate and compliant with Policy H3. Compliance with M4 (2) would be secured by condition.

The proposed uplift would be less than 100sqm, Policy H4 would not therefore apply in this instance.

The flats would enjoy dual aspect outlook, in addition to plenty of openings providing good levels of natural light and ventilation.

The brick rear extensions, although centrally located rather than off centre, are considered consistent with the local townscape and is similar in terms of size to the neighbouring implemented extension at No.110. Both the ground floor and upper floor elements would comply with CPG Design. The alterations to the dormers, again considered consistent with the local townscape, would match that of neighbouring No.106. The replacement railings are considered an improvement in terms of design. Within this context, the proposal would preserve the character and appearance of the building and conservation area and fall in line with the objectives of Policy DH1 of the Hampstead Neighbourhood Plan.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed alterations and in particular the rear extensions, by virtue of their size, scale and position set away from the boundaries and away from neighbouring windows involves limited external alterations that are not considered to cause detrimental harm to neighbouring amenity in terms of daylight, outlook or loss of privacy. The replacement railings would not afford any greater overlooking or noise disturbance than the existing arrangement. The development shall be car-free, secured by way of a S106 planning obligation. Each unit, by virtue of their size are capable of hosting suitable cycle storage. Due to the congestion and proximity to schools, this permission shall be secured via an S106 planning obligation with a Construction Management Plan.

The rearward extension would not project near any mature trees, nor would the proposal require their removal. A condition shall however be attached to ensure suitable protection measures are secured.

Along with the planning history of the site, all matters were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies H3, H7, A1, CC1, CC2, T1, T2 of the London Borough of Camden Local Plan 2017, the Hampstead Neighbourhood Plan 2018, London Plan 2016, and the National Planning Policy Framework 2018.

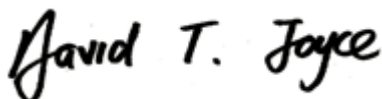
- 4 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning